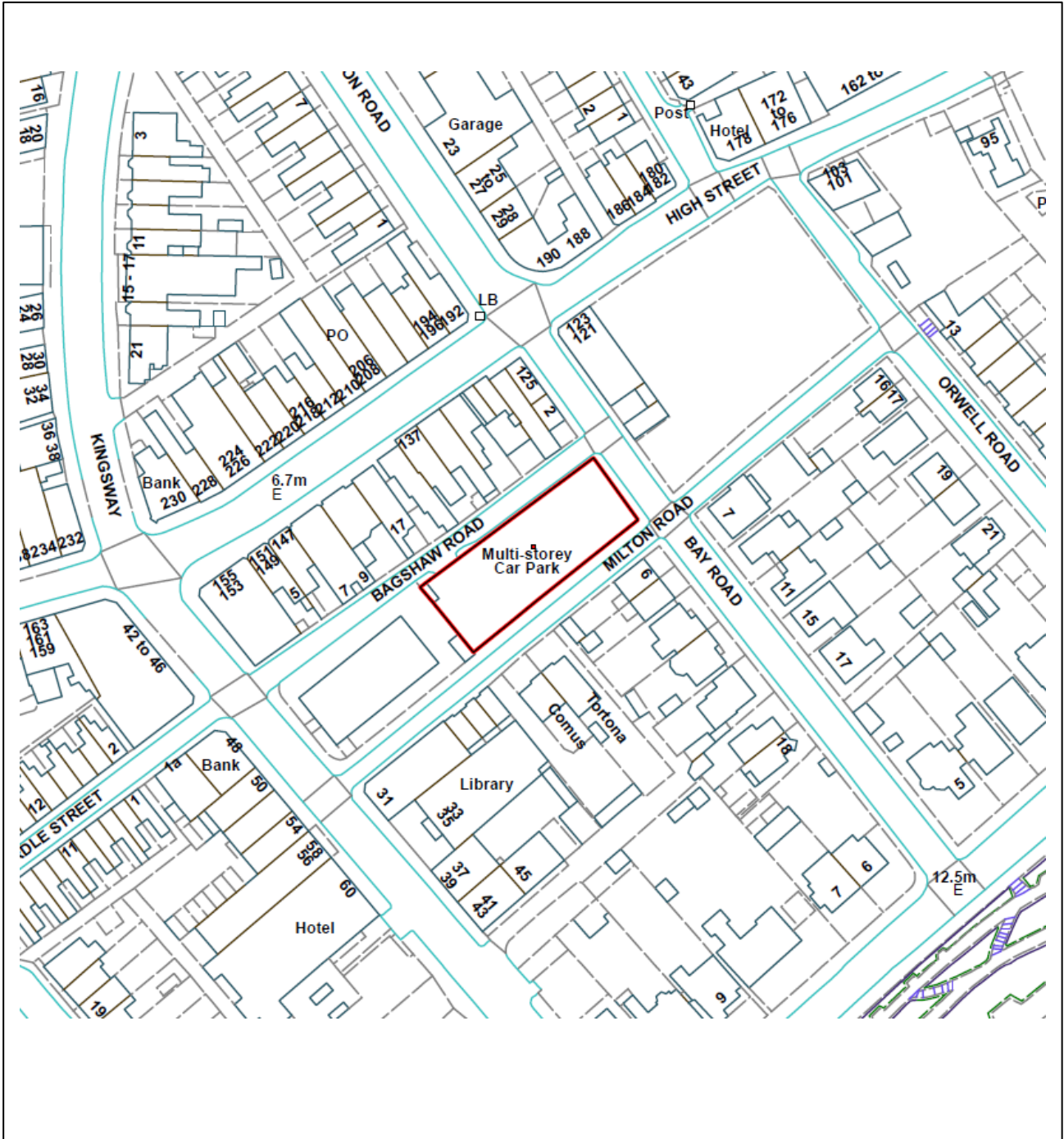


PLANNING COMMITTEE

4 FEBRUARY 2025

REPORT OF THE DIRECTOR OF PLANNING

A.3. PLANNING APPLICATION – 24/01716/FUL – MILTON ROAD CAR PARK MILTON ROAD DOVERCOURT CO12 3LA



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Application:	24/01716/FUL	Expiry Date:	15th January 2025
Case Officer:	Michael Pingram	EOT Date:	7th February 2025
Town/ Parish:	Harwich Town Council		
Applicant:	Tendring District Council		
Address:	Milton Road Car Park Milton Road Dovercourt, Essex CO12 3LA		
Development:	Demolition of the existing Milton Road multi-storey car park and replacement with an at-grade car park, cycle parking, and landscaping improvements.		

1. Executive Summary

- 1.1 This application is before the Planning Committee on the basis that the applicant is Tendring District Council.
- 1.2 The proposal would result in the demolition of the existing multi-storey car park, to be replaced with a single storey car park providing for 23 spaces. In this instance, the regeneration of a large vacant site within the Dovercourt Town Centre is supported in principle. Further, the proposal is considered to result in a visual enhancement to the area, and will also not harm any of the surrounding heritage assets.
- 1.3 Officers consider that there will not be any significant harm to the amenities of neighbouring residents, and ECC Highways have raised no objections subject to conditions. The proposal results in the loss of some existing parking provision, but it is noted that the site is currently vacant and there has been a significant increase in provision at Orwell Road car park directly adjacent; the combination of these factors ensures there will be sufficient provision overall.
- 1.4 Taking all of the above into consideration, the application is considered to comply with local and national planning policies and accordingly is recommended for approval.

Recommendation: Approval

- 1) That the Head of Planning and Building Control be authorised to grant planning permission subject to the conditions as stated at paragraph 10.2, or varied as is necessary to ensure the wording is enforceable, precise, and reasonable in all other respects, including appropriate updates, so long as the principle of the conditions as referenced is retained; and,
- 2) The informative notes as may be deemed necessary.

2. Status of the Local Plan

Planning law requires that decisions on applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Local Plan 2013-33 and Beyond (adopted January 2021 and January 2022, respectively), supported by our suite of evidence base core documents

(<https://www.tendringdc.uk/content/evidence-base>) together with any Neighbourhood Plans that have been made and the Minerals and Waste Local Plans adopted by Essex County Council.

Planning law requires that decisions on applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Local Plan 2013-33 and Beyond (adopted January 2021 and January 2022, respectively), supported by our suite of evidence base core documents (<https://www.tendringdc.uk/content/evidence-base>) together with any Neighbourhood Plans that have been made and the Minerals and Waste Local Plans adopted by Essex County Council.

3. **Neighbourhood Plans**

A neighbourhood plan introduced by the Localism Act that can be prepared by the local community and gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan to promote development and uphold the strategic policies as part of the Development Plan alongside the Local Plan. Relevant policies are considered in the assessment. Further information on our Neighbourhood Plans and their progress can be found via our website <https://www.tendringdc.uk/content/neighbourhood-plans>

At the time of writing, there are no draft or adopted neighbourhood plans relevant to this site.

4. **Planning Policy**

4.1 The following Local and National Planning Policies are relevant to this planning application.

National:

National Planning Policy Framework December 2024 ([NPPF](#))
National Planning Practice Guidance ([NPPG](#))

Local:

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 (adopted January 2021)

SP1 Presumption in Favour of Sustainable Development
SP3 Spatial Strategy for North Essex
SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

SPL1 Managing Growth
SPL2 Settlement Development Boundaries
SPL3 Sustainable Design

PP3 Village and Neighbourhood Centres
PP5 Town Centre Uses
PP14 Priority Areas for Regeneration

PPL4 Biodiversity and Geodiversity
PPL5 Water Conservation, Drainage and Sewerage
PPL8 Conservation Areas
PPL9 Listed Buildings
PPL10 Renewable Energy Generation and Energy efficiency Measures

CP1 Sustainable Transport and Accessibility
CP2 Improving the Transport Network

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice
Essex Design Guide

5. Relevant Planning History

None.

6. Consultations

Below is a summary of the comments received from consultees relevant to this application proposal. Where amendments have been made to the application, or additional information has been submitted to address previous issues, only the latest comments are included below.

All consultation responses are available to view, in full (including all recommended conditions and informatives), on the planning file using the application reference number via the Council's Public Access system by following this link <https://idox.tendringdc.gov.uk/online-applications/>.

Tree & Landscape Officer

28.11.2024

There are no trees or other significant vegetation on the application site.

There are limited opportunities to introduce soft landscaping into the scheme however the proposals maximise the opportunities and along with a range of sensitive design proposals, with a local theme, make the most of the potential of the site.

Essex County Council Heritage

05.12.2024

Built Heritage Advice pertaining to a Full Planning Application for the proposed demolition of the existing Milton Road multi-storey car park, and replacement with an at-grade car park, cycle parking, and landscaping improvements.

This application is supported by a Heritage Statement that meets the requirements of the NPPF Paragraph 200. In that it provides a proportionate level of information to describe the significance of the heritage assets affected by the proposal and understand the potential impact upon them. It identifies that the boundary of the Dovercourt Conservation Area lies to the north of the site on the opposite side of Bagshaw Road, and to the southwest of the site where it includes the Kingsway Hall and Railings.

The significance of the Conservation Area is predominantly derived from its historic value most closely associated with the early development of Harwich as a seaside resort, centred on a core of historic terraced streets, and the open space of the park and Beacon Hill Fort which are historic in their origins and enhance our understanding of the development of the Conservation Area. Its significance also derives from the architectural interest of the nineteenth and early twentieth century buildings which make up the core of the Conservation Area. The historic and architectural significance of the Conservation Area has been damaged by the loss of key buildings of historic and architectural significance, and the current condition of other important buildings.

The setting of the Conservation Area comprises later residential areas to the east and west of the Conservation Area, the railway and Harwich harbour to the north and Dovercourt Bay to the southwest. The setting of the built core of the Conservation Area has some adverse impact on

its significance. The Multi-Storey car park is identified in the adopted Appraisal as a detracting example, being unsympathetic in scale, mass and building materials, appearing intrusive and detracting from views of the traditional building stock within the area.

The Kingsway Hall and Railings situated immediately adjacent to the site are Grade II listed (List Entry No. 1187913). The Listed Building's significance is derived from its special architectural and historic interest as a former non-conformist church that dates to the latter half of the nineteenth century and constructed in the Italianate style by Gibbons of Ipswich. The boundary walling to its southeast and southwest has ornate iron railings between Roman cement coated piers that are listed with the building. They display craftsmanship in their decoration and are considered to contribute positively to the building's aesthetic value, as a consciously designed element of the listed building.

Its setting comprises the High Street and surrounding built up area. The existing Milton Road Car Park does not contribute to the significance of the listed building, although it does allow open views towards the rear of the building.

Given the close proximity of the site to the designated heritage assets, there is potential for the proposal to cause indirect impacts to the character and appearance of the Dovercourt Conservation Area, and to the significance of the Kingsway Hall and Railings through the changes to their setting.

In principle there is no objection to the demolition and replacement of the Milton Road Car Park, on the basis that the Conservation Area Character Appraisal and Management Plan (December 2021) states that the existing multi-storey car park is "unsympathetic in scale, mass and building materials, appearing intrusive and detracting from views of the traditional building stock within the area". As such, its removal creates an opportunity to enhance the setting of the designated heritage assets.

Its replacement by the proposed at-grade car park, cycle parking, and landscaping works is supported. The design of the new development is considered to be appropriate in the setting of the designated heritage assets, and has been informed by pre-application discussions with the Local Planning Authority, which involved advice from the Place Services Historic Built Environment Team.

The new car park is reduced in scale to a single level that will appear to be partly sunken due to the site's sloped ground levels. This will increase the amount of open space that the site provides to the setting of the designated heritage assets, and enhance the rearward views of the Kingsway Hall.

New railings with attractive latticework panel and lighthouse shaped post detailing are proposed to enclose the carpark. The design is influenced by local historic landmarks within the wider setting of the Dovercourt Conservation Area, namely the Upper and Lower Lighthouses, and the Harwich Redoubt Fort. They are of a high-quality design that will make a positive contribution to the local character and distinctiveness, as set out in Paragraph 203 (c) of the National Planning Policy Framework (NPPF).

Overall, the proposal is considered to enhance the setting of the designated heritage assets. There would be no indirect harm caused to the setting and significance of the Kingsway Hall and Railings, and to the character and appearance of the conservation area.

The proposal is considered to be in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and is not in conflict with the provision of Chapter 16 of the NPPF.

The Design and Access Statement specifies that the new railings are to be made from steel with a polyester powder-coated black finish. We recommend a condition is used to secure appropriate materials and finishes for the boundary treatments that ensure the high-quality design is sustained.

Environmental Protection

18.12.2024

With reference to the above application, please see below for comments from the EP Team:

Contaminated Land: EP have reviewed the submitted contaminated land risk assessment and are satisfied with the findings of the report. Prior to any commencement of the proposal, an intrusive site investigation is to be undertaken with the objective of determining the presence and extent of any soil contamination at the site. This should be completed by a competent person and submitted to the local planning authority for approval

REASON: It is the responsibility of the developer to ensure the safe development of the site and to carry out any appropriate land contamination investigation and remediation works. The condition is to ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Demolition and Construction Method Statement: In order to minimise potential nuisance to nearby existing residents caused by construction and demolition works, Pollution and Environmental Control ask that the following is submitted:

Prior to the commencement of any construction or demolition works, the applicant (or their contractors) shall submit a full method statement to, and receive written approval from, the Environmental Protection Team. This should at minimum include the following where applicable.

o Noise Control

- 1) The use of barriers to mitigate the impact of noisy operations will be used where possible. This may include the retention of part(s) of the original buildings during the demolition process to act in this capacity.
- 2) No vehicle connected with the works to arrive on site before 07:30 or leave after 19:00(except in the case of emergency). Working hours to be restricted between 08:00 and 18:00 Monday to Saturday (finishing at 13:00 on Saturday) with no working of any kind permitted on Sundays or any Public/Bank Holidays.
- 3) The selection and use of machinery to operate on site, and working practices to be adopted will, as a minimum requirement, be compliant with the standards laid out in British Standard 5228.
- 4) Mobile plant to be resident on site during extended works shall be fitted with non-audible reversing alarms (subject to HSE agreement).
- 5) Prior to the commencement of any piling works which may be necessary, a full method statement shall be agreed in writing with the Planning Authority (in consultation with Pollution and Environmental Control). This will contain a rationale for the piling method chosen and details of the techniques to be employed which minimise noise and vibration to nearby residents.
- 6) If there is a requirement to work outside of the recommended hours the applicant or contractor must submit a request in writing for approval by Pollution and Environmental Control prior to the commencement of works.

o Emission Control

- 1) All waste arising from the demolition process, ground clearance and construction processes to be recycled or removed from the site subject to agreement with the Local Planning Authority and other relevant agencies.

- 2) No materials produced as a result of the site development or clearance shall be burned on site.
- 3) All reasonable steps, including damping down site roads, shall be taken to minimise dust and litter emissions from the site whilst works of construction and demolition are in progress.
- 4) All bulk carrying vehicles accessing the site shall be suitably sheeted to prevent nuisance from dust in transit.

Adherence to the above condition will significantly reduce the likelihood of public complaint and potential enforcement action by Pollution and Environmental Control. The condition gives the best practice for Demolition and Construction sites. Failure to follow them may result in enforcement action under nuisance legislation (Environmental Protection Act 1990), or the imposition of controls on working hours (Control of Pollution Act 1974).

REASON: to protect the amenity of nearby residential dwellings.

ECC Highways Dept

05.12.2024

The information provided with the application has been assessed by the Highway Authority and conclusions reached from a desktop study based on the submitted material and google maps. No site visit was undertaken in conjunction with this planning application. It is noted that the revised car park will utilise the existing access that served the lower section of the current car park from Bagshaw Road which has a one-way Order and a series of waiting restrictions and is accessed via Bay Road. The revised car park will provide twenty-three spaces with cycle and motorcycle parking. It is also noted that the existing car park is closed and the loss, of the upper deck car park will be offset by the new Orwell Road car park and as such will not have a detrimental impact on parking in the area, considering these factors:

From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

1. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:
 - i. vehicle routing,
 - ii. the parking of vehicles of site operatives and visitors,
 - iii. loading and unloading of plant and materials,
 - iv. storage of plant and materials used in constructing the development,
 - v. wheel and underbody washing facilities.

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM1.

2. Prior to occupation of the car park, the road junction / access at its centre line shall be provided with a visibility splay with dimensions of 2.4 metres by 41 metres, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction / access is first used by vehicular traffic and retained free of obstruction above 600mm at all times.

Reason: To provide adequate inter-visibility between vehicles using the road junction / access and those in the existing public highway in the interest of highway safety in accordance with policy DM1.

3. Prior to the occupation of the car park the internal layout and off-street parking shall be provided in principle and accord with drawing numbers:

- o 2530557 - P10 Rev. B - Proposed site layout plan
- o L1047101 Rev. E - Landscape general arrangement plan

Reason: To ensure that vehicles using the site access do so in a controlled manner, in the interests of highway safety and in accordance with Policy DM1 and DM6.

4. The redundant vehicular access from the site (Milton Road) shall be suitably and permanently closed incorporating the reinstatement to full height of the footway / kerbing before the revised car park is brought into first beneficial use.

Reason: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety in accordance with policy DM1.

5. Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.

Reason: To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety and in accordance with Policy DM1.

6. The proposed car park shall not be occupied until such time as the vehicle parking areas indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8.

7. The powered two-wheeler/cycle parking facilities as shown on the approved plan are to be provided prior to the first occupation of the car park and retained at all times.

Reason: To ensure appropriate powered two-wheeler and bicycle parking is provided in accordance with Policy DM8.

8. Prior to the occupation of the car park and south of the pedestrian access on Bay Road, the provision of an informal pedestrian crossing point is to be provided on the footway and opposite, adjacent to the pedestrian entrance to Orwell Road car park including the provision of tactile paving.

Reason: To make adequate provision within the highway for the additional pedestrian traffic generated within the highway because of the proposed development in accordance with Policy DM9.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance and National Planning Policy Framework.

Notes:

- o The above requirements should be imposed by way of negative planning conditions or planning obligation agreements as appropriate.
- o Prior to any works taking place in the highway the developer should enter into a S278 agreement with the Highway Authority under the Highways Act 1980 or Minor Works Authorisation to regulate the construction of the highway works.

- o All or some of the above requirements may attract the need for a commuted sum towards their future maintenance (details should be agreed with the Highway Authority as soon as possible)
- o All highway related details should be agreed with the Highway Authority.
- o Drawing no. 2530557 - P10 Rev. B shows the extent of proposed retaining wall repairs/ new construction, these will need to be checked/ approved by the Structures Team at the technical approval stage to avoid impacting Milton Road.

ECC SuDS Consultee 14.01.2025

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we wish to issue a holding objection to the granting of planning permission based on the following:

- o Run off rate should be limited to the 1 in 1 year greenfield rate in the first instance, if it has been demonstrated this is unviable, run off rate should be limited to a minimum of 50% betterment of the existing brownfield rate. This should be supported by calculations. The Drainage strategy states that the discharge of 2l/s is a betterment of the existing discharge from the site, however the current brownfield discharge rate and greenfield rate has not been detailed within the document.
- o The private drainage general arrangement drawing looks to show the rain gardens placed within the parking bays. It also does not correspond with the proposed site layout drawing.
- o A CV value of 1 should be used within the surface water design calcs as whilst areas of permeable paving has been proposed, there is no infiltration proposed at the site and as such these areas will contribute to the positive drainage system.

We also have the following advisory comments:

- o We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below.

<https://www.essex.gov.uk/protecting-environment>

- o Please note that the Environment Agency updated the peak rainfall climate change allowances on the 10 May 2022. Planning applications with outline approval are not required to adjust an already approved climate change allowance, however, wherever possible, in cases that do not have a finalised drainage strategy please endeavour to use the updated climate change figures

Flood risk assessments: climate change allowances - GOV.UK (www.gov.uk)

- o Please note that where discharge is to a public sewer, consent from the relevant authority will be required. The links can be found below.

<https://www.anglianwater.co.uk/developing/drainage-services/sustainable-drainage-systems/>

<https://www.thameswater.co.uk/developers>

In the event that more information was supplied by the applicants then the County Council may be in a position to withdraw its objection to the proposal once it has considered the additional clarification/details that are required.

Any questions raised within this response should be directed to the applicant and the response should be provided to the LLFA for further consideration. If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us.

Essex County Council Ecology

20.12.2024

Summary

We have reviewed the Preliminary Ecological Appraisal (Place Services, November 2024) relating to the likely impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures.

We have also reviewed the information submitted information relating to mandatory biodiversity net gains.

We are satisfied that there is sufficient ecological information available to support determination of this application.

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the Preliminary Ecological Appraisal (Place Services, November 2024) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly those recorded in the locality.

We also support the proposed reasonable biodiversity enhancements for protected and Priority species, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 187d of the National Planning Policy Framework (December 2025). The reasonable biodiversity enhancement measures should be outlined within a separate Biodiversity Enhancement Strategy and should be secured by a condition of any consent.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended) and delivery of mandatory Biodiversity Net Gain.

Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013. We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.

Recommended conditions

1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

"All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Place Services, November 2024) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details."

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

2. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY

"Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected and Priority or threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Preliminary Ecological Appraisal (Place Services, November 2024), shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter."

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended).

7. Representations

- 7.1 Harwich Town Council have confirmed they have no objections to the application.
- 7.2 There has been one letter of observation received, querying whether the development could also include toilet units.

8. Assessment

Site Description

- 8.1 The application site is Milton Road Car Park, which is located to the south of Bagshaw Road and north of Milton Road, within the parish of Dovercourt. The car park is currently two storeys and has been vacant for some time and overall in a poor state of repair.
- 8.2 The surrounding area is heavily urbanised in nature, with residential and commercial development to all sides. Adjacent to the north-east is a recently developed car park, and to the south-west is a Grade II Listed Building. There are other Grade II Listed Buildings within the wider surrounding area, and the site also lies adjacent to the Dovercourt Conservation Area, which falls to the north and south-west.
- 8.3 The site falls within the Settlement Development Boundary for Dovercourt within the adopted Local Plan 2013-2033, is allocated within an area prioritised for regeneration purposes, and also lies within the Dovercourt Town Centre boundary.

Description of Proposal

- 8.4 This letter seeks planning permission for the demolition of the existing car park, to be replaced by a new single level car park providing for a total of 23 spaces. The proposal will also include additional landscaping and lighting improvements, with the site to be accessed via Bagshaw Road. Two of the 23 spaces are to be for disabled persons and four will include wall mounted electric vehicle charging points, and there will also be 6 cycle bays and 4 motorcycle bays.

Principle of Development

- 8.5 Paragraph 90 of the National Planning Policy Framework (2024) states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking

a positive approach to their growth, management and adaptation. It adds that planning policies should define a network and hierarchy of town centres and promote their long-term vitality and viability.

- 8.6 In addition, Paragraph 124 encourages planning decisions to promote effective use of land, with Paragraph 125(c) adding that appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land should be supported.
- 8.7 In this instance, the application relates to the regeneration of a large vacant site between Bagshaw Road and Milton Road, Dovercourt. The site is located within the defined Town Centre and is also within an area prioritised for regeneration purposes. These areas are identified within Policy PP14 to be the focus of investment in social, economic and physical infrastructure and initiatives to improve vitality, environmental quality, social inclusion, economic prospects, education, health, community safety, accessibility and green infrastructure.
- 8.8 The development will contribute to the regeneration and renewal of the area through enhancements to its function, character and appearance. As such, the development proposed accords with the objectives of national and local planning policy for delivering sustainable development, utilising land effectively, and supporting development that will contribute to regeneration and the vitality of town centres. The proposal is, therefore, considered to be acceptable in principle.

Scale, Layout & Appearance

- 8.9 Paragraph 135 of the National Planning Policy Framework (NPPF) (2024) states that developments are visually attractive as a result of good architecture, are sympathetic to local character, and establish or maintain a strong sense of place.
- 8.10 Adopted Policy SP7 of the 2013-33 Local Plan seeks high standards of urban and architectural design, which responds positively to local character and context. Adopted Policy SPL3 Part A (b) requires that development relates well to its site and surroundings, particularly in relation to its siting, height, scale, massing, form, design and materials.
- 8.11 The development is to provide a new and revised car parking area within the centre of Dovercourt Town Centre, which would replace the currently vacant and derelict site that is of a poor visual appearance. ECC Place Services (Urban Design) were involved at pre-application stage and have therefore been involved in the overall design process. The retention of the Bagshaw Road entrance is supported as it retains the existing access connection, and due to the lack of built form it will not appear visually harmful. Features including the use of landscaping to break up spaces, electric vehicle charging points, disabled spaces and separate cycle/motorcycle parking provision, are considered to be positive design characteristics. Furthermore, the north-eastern corner of the site is to be used for a small area of public realm, which is supported as due to its seating and landscaping it will help create a positive relationship with the surrounding area.
- 8.12 Moreover, as a result of the topography, which slopes towards the north, there is a need for a retaining wall and boundary fencing to ensure safety and treatment of the levels. It is welcomed that this boundary treatment, which looks to integrate features of the local area in the form of lighthouses and railings, has been used as an opportunity for placemaking.
- 8.13 Overall, therefore, the development is considered to provide for an improved visual appearance to the currently vacant and derelict site, and will result in a visually appealing scheme that accords with the aforementioned national and local planning policies.

Heritage Impacts

- 8.14 Paragraph 210(c) of the NPPF states that in determining applications, local planning authorities should take account of the desirability of new development making a positive contribution to local

character and distinctiveness. Paragraph 215 confirms that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

- 8.15 Adopted Policy PPL8 states that new development within a designated Conservation Area, or which affects its setting, will only be permitted where it has regard to the desirability of preserving or enhancing the special character and appearance of the area. Policy PPL9 adds that proposals for new development affecting a listed building or its setting will only be permitted where they will protect its special architectural or historic interest, its character, appearance and fabric.
- 8.16 The application site falls within the Dovercourt Conservation Area, and is also adjacent to a Grade II Listed Building, with other Grade II Listed Buildings also further out within the wider surrounding area. Accordingly, ECC Place Services (Heritage) have been consulted, and they have provided the following comments:

“This application is supported by a Heritage Statement that meets the requirements of the NPPF Paragraph 200 in that it provides a proportionate level of information to describe the significance of the heritage assets affected by the proposal and understand the potential impact upon them. It identifies that the boundary of the Dovercourt Conservation Area lies to the north of the site on the opposite side of Bagshaw Road, and to the southwest of the site where it includes the Kingsway Hall and Railings.

The significance of the Conservation Area is predominantly derived from its historic value most closely associated with the early development of Harwich as a seaside resort, centred on a core of historic terraced streets, and the open space of the park and Beacon Hill Fort which are historic in their origins and enhance our understanding of the development of the Conservation Area. Its significance also derives from the architectural interest of the nineteenth and early twentieth century buildings which make up the core of the Conservation Area. The historic and architectural significance of the Conservation Area has been damaged by the loss of key buildings of historic and architectural significance, and the current condition of other important buildings.

The setting of the Conservation Area comprises later residential areas to the east and west of the Conservation Area, the railway and Harwich harbour to the north and Dovercourt Bay to the southwest. The setting of the built core of the Conservation Area has some adverse impact on its significance. The Multi-Storey car park is identified in the adopted Appraisal as a detracting example, being unsympathetic in scale, mass and building materials, appearing intrusive and detracting from views of the traditional building stock within the area.

The Kingsway Hall and Railings situated immediately adjacent to the site are Grade II listed (List Entry No. 1187913). The Listed Building's significance is derived from its special architectural and historic interest as a former non-conformist church that dates to the latter half of the nineteenth century and constructed in the Italianate style by Gibbons of Ipswich. The boundary walling to its southeast and southwest has ornate iron railings between Roman cement coated piers that are listed with the building. They display craftsmanship in their decoration and are considered to contribute positively to the building's aesthetic value, as a consciously designed element of the listed building.

Its setting comprises the High Street and surrounding built up area. The existing Milton Road Car Park does not contribute to the significance of the listed building, although it does allow open views towards the rear of the building.

Given the close proximity of the site to the designated heritage assets, there is potential for the proposal to cause indirect impacts to the character and appearance of the Dovercourt Conservation Area, and to the significance of the Kingsway Hall and Railings through the changes to their setting.

In principle there is no objection to the demolition and replacement of the Milton Road Car Park, on the basis that the Conservation Area Character Appraisal and Management Plan (December 2021) states that the existing multi-storey car park is "unsympathetic in scale, mass and building materials, appearing intrusive and detracting from views of the traditional building stock within the area". As such, its removal creates an opportunity to enhance the setting of the designated heritage assets.

Its replacement by the proposed at-grade car park, cycle parking, and landscaping works is supported. The design of the new development is considered to be appropriate in the setting of the designated heritage assets, and has been informed by pre-application discussions with the Local Planning Authority, which involved advice from the Place Services Historic Built Environment Team.

The new car park is reduced in scale to a single level that will appear to be partly sunken due to the site's sloped ground levels. This will increase the amount of open space that the site provides to the setting of the designated heritage assets, and enhance the rearward views of the Kingsway Hall.

New railings with attractive latticework panel and lighthouse shaped post detailing are proposed to enclose the carpark. The design is influenced by local historic landmarks within the wider setting of the Dovercourt Conservation Area, namely the Upper and Lower Lighthouses, and the Harwich Redoubt Fort. They are of a high-quality design that will make a positive contribution to the local character and distinctiveness, as set out in Paragraph 203 (c) of the National Planning Policy Framework (NPPF).

Overall, the proposal is considered to enhance the setting of the designated heritage assets. There would be no indirect harm caused to the setting and significance of the Kingsway Hall and Railings, and to the character and appearance of the conservation area.

The proposal is considered to be in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and is not in conflict with the provision of Chapter 16 of the NPPF.

The Design and Access Statement specifies that the new railings are to be made from steel with a polyester powder-coated black finish. We recommend a condition is used to secure appropriate materials and finishes for the boundary treatments that ensure the high-quality design is sustained."

- 8.17 In summary, the current car park is considered to be an unsympathetic addition to the Dovercourt Conservation Area in its current form, and also does not contribute to the significance of the adjacent Grade II Listed Building. The proposed replacement car park is considered to make a positive contribution to the local character and distinctiveness, and therefore no objections are raised in this regard, subject to the inclusion of the suggested condition.

Highway Safety/Parking

- 8.18 Paragraph 115 of the National Planning Policy Framework (2024) seeks to ensure that safe and suitable access to a development site can be achieved for all users. Paragraph 116 of the Framework states that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Policy SPL3 (Part B) of Section 2 of the Tendring District Local Plan 2013-2033 and Beyond seeks to ensure that access to a new development site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate and provision is made for adequate vehicle and cycle parking.
- 8.19 Essex Highways Authority have been consulted and have confirmed that from a highway and transportation perspective the impact of the proposal is acceptable. However, they have recommended conditions relating to the submission of a Construction Management Plan, visibility splays, the closure of the redundant vehicular access, boundary planting, the vehicle parking areas, cycle parking and an informal pedestrian crossing point.

- 8.20 With regards to the suggested condition relating to the inclusion of an informal pedestrian crossing point, the agent for the application has suggested this can be addressed via a Section 278 agreement rather than a condition. Whilst Officers agree that this could be addressed via such an agreement, on this occasion it is not considered that there is sufficient justification for such a request, and therefore it would not be reasonable or necessary to include this within the recommendation.
- 8.21 The Essex Parking Standards (2009) outline that parking spaces shall each measure 5.5m x 2.9m (or 5m x 2.5m in exceptional circumstances). Officers acknowledge that the proposal would result in the overall loss of parking spaces at Milton Road car park, with the current spaces being 60 and that proposed being 23. However, on this occasion it is noted that the site is currently vacant (and has been since September 2023), and following the approval of 21/01145/FUL a new car park at Orwell Road directly adjacent has provided for a total of 51 parking spaces. Therefore, in considering both applications, there will not be a significant loss of parking provision, and no significant harm is raised.

Tree and Landscaping Impacts

- 8.22 Adopted Policy PPL3 states that the Council will protect the rural landscape and refuse planning permission for any proposed development which would cause overriding harm to its character or appearance.
- 8.23 The Council's Tree and Landscape Officer has been consulted on the pre-application, and has provided the following advisory comments:

"There are no trees or other significant vegetation on the application site.

There are limited opportunities to introduce soft landscaping into the scheme however the proposals maximise the opportunities and along with a range of sensitive design proposals, with a local theme, make the most of the potential of the site."

- 8.24 Taking the above comments into consideration, no objections are raised in this regard.

Impact on Residential Amenity

- 8.25 Paragraph 135 of the National Planning Policy Framework (2024) confirms planning policies and decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 8.26 Policy SP7 of Section 1 of the 2013-33 Local Plan requires that the amenity of existing and future residents is protected. Section 2 Policy SPL 3 (Part C) seeks to ensure that development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.
- 8.27 There are a number of residential properties in close proximity to the application site, however on this occasion Officers acknowledge that the site is an existing car park and that being proposed is to provide for modern facilities within the same use. Given this, and that the number of parking spaces (and in turn vehicular movements) is reduced, there will be no significant harm to neighbouring amenities to warrant a reason for refusal within any future planning application.

Flood Risk and SuDS

- 8.28 Paragraph 181 of the NPPF states that, when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Paragraph 181 goes on to say that, developments should incorporate sustainable drainage systems. The systems used should, amongst other things, take account of advice from the lead local flood authority and have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development.

- 8.29 Adopted Local Plan Policy PPL5 requires that all new development must make adequate provision for drainage and sewage treatment and should include sustainable drainage systems (SuDS). Policy SPL3, Part B criterion g), requires that development reduces flood risk and integrates sustainable drainage within development.
- 8.30 ECC SuDS as Lead Local Flood Authority have issued a holding objection to the proposal and the applicant is in the process of preparing the additional information requested. Due to the nature of this proposal being a hardstanding area and the existing site coverage it is considered this matter could be adequately resolved via a planning condition, as included within the recommendation, in consultation with ECC SuDS.

Impact to Protected Species

- 8.31 Paragraph 187 of the Framework states planning decisions should contribute to and enhance the natural and local environment, by minimising impacts and providing net gains for biodiversity. Paragraph 193(a) of the NPPF confirms that in assessing planning applications where significant harm to biodiversity as a result of a development cannot be avoided, adequately mitigated or, as a last resort, compensated for, then planning permission should be refused.
- 8.32 Adopted Policy SP7 requires that all new development should incorporate biodiversity creation and enhancement measures. Adopted Policy SPL3 Part A(d) includes that the design and layout of development should maintain or enhance ecological value.
- 8.33 ECC Place Services (Ecology) have been consulted and have confirmed they are satisfied there is sufficient ecological information available to support the determination of the application, and raise no objections subject to conditions relating to mitigation measures and a Biodiversity Enhancement Strategy.

Renewable Energy

- 8.34 Paragraph 117 of the Framework states that applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles (ULEV) in safe, accessible and convenient locations. However, recent UK Government announcements that ULEV charging points will become mandatory for new development have yet to be published.
- 8.35 Policies PPL10 and SPL3, together, require consideration be given to renewable energy generation and conservation measures. Proposals for new development of any type should consider the potential for a range of renewable energy generation solutions, appropriate to the building(s), site and its location, and be designed to facilitate the retro-fitting of renewable energy installations.
- 8.36 The proposal includes for a development that has the potential to incorporate ULEV charging points for electric cars, and it is noted that such provision has been allowed for. Therefore, on this occasion it would not be reasonable or necessary to include a condition requiring the submission of renewable energy details.

9. Conclusion

- 9.1 The proposal would result in the demolition of the existing multi-storey car park, to be replaced with a single storey car park providing for 23spaces. In this instance, the regeneration of a large vacant site within the Dovercourt Town Centre is supported in principle. Further, the proposal is considered to result in a visual enhancement to the area, and will also not harm any of the surrounding heritage assets.
- 9.2 Officers consider that there will not be any significant harm to the amenities of neighbouring residents, and ECC Highways have raised no objections subject to conditions. The proposal results

in the loss of some existing parking provision, but it is noted that the site is currently vacant and there has been a significant increase in provision at Orwell Road car park directly adjacent; the combination of these factors ensures there will be sufficient provision overall.

9.3 Taking all of the above into consideration, the application is considered to comply with local and national planning policies and accordingly is recommended for approval.

10. Recommendation

10.1 The Planning Committee is recommended to grant planning permission subject to the following conditions and informatives.

10.2 Conditions and Reasons

1 **CONDITION:** The works to which this consent relate must be begun not later than the expiration of three years beginning with the date of this consent.

REASON: To comply with the requirements of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2 **CONDITION:** The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

Drawing Numbers 2530557-P01 Rev A, 2530557-P10 Rev B, 2530557-P11 Rev C, 2530557-P12 Rev B, 2530557-P13, L1047L01 Rev E, L1047L02 Rev C, and the documents titled 'Phase 1 Desk Study Report', 'Drainage Strategy', 'Preliminary Ecological Appraisal', 'Heritage Statement', 'Landscape Design Statement' and 'Transport Statement'.

REASON: For the avoidance of doubt and in the interests of proper phased planning of the development.

3 **CONDITION:** Prior to the commencement of development details of a construction methodology and timetable shall be submitted to and approved, in writing, by the Local Planning Authority. This shall incorporate the following information:-

- a) Details of how construction and worker traffic and parking shall be managed.
- b) Details of the loading/unloading/storage of construction materials on site, including details of their siting and maximum storage height.
- c) Storage of plant and materials used in the construction of the development.
- d) Details of measures to control the emission of dust and dirt during construction and including details of any wheel washing to be undertaken, management and location it is intended to take place.
- e) Details of the hours of work/construction of the development within which such operations shall take place and the hours within which delivery/collection of materials for the said construction shall take place at the site.

The said methodology as may be approved shall be implemented in its entirety on commencement of development and shall operate as may be approved at all times during construction.

REASON: To minimise detriment to nearby residential and general amenity by controlling the construction process to achieve the approved development. This condition is required to be agreed prior to the commencement of any development as any construction process, including site preparation, by reason of the location and scale of development may result in adverse harm on amenity.

- 4 CONDITION: Prior to first use of the access, visibility splays shall be provided with a minimum clear to ground visibility splay with dimensions of 2.4 metres by 41 metres in both directions, as measured from and along the nearside edge of the carriageway, and shall then be retained in its approved form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

REASON: To ensure vehicles exiting the access would have sufficient visibility to enter the public highway safely and vehicles on the public highway would have sufficient warning of a vehicle emerging in order to take avoiding action.

- 5 CONDITION: The hereby approved access shall be completed in all respects in accordance with the approved drawings and be available for use before the car park is brought into first use. The approved access shall then be retained in its approved form. Prior to first use of the new access details of the stopping up of all other means of vehicular access within the frontage as shown on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. The stopping up as approved shall be implemented in full prior to first use of the new access.

REASON: To ensure that an increase in accesses available does not increase in highway safety risk.

- 6 CONDITION: Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.

REASON: To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety.

- 7 CONDITION: Prior to occupation of the hereby approved development, details of the powered two-wheeler/cycle parking facilities shall be submitted to, and agreed in writing by, the Local Planning Authority. These approved details shall then be retained thereafter.

REASON: To ensure appropriate powered two-wheeler and bicycle parking is provided.

- 8 CONDITION: All changes in ground levels, soft/hard landscaping shown on the approved landscaping details shall be carried out in full during the first planting and seeding season (October - March inclusive) following the commencement of the development, or in such other phased arrangement as may be approved, in writing, by the Local Planning Authority up to the first use/first occupation of the development. Any trees, hedges, shrubs or turf identified within the approved landscaping details (both proposed planting and existing) which die, are removed, seriously damaged or seriously diseased, within a period of 10 years of being planted, or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and same species unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the approved landscaping scheme has sufficient time to establish, in the interests of visual amenity and the character and appearance of the area.

- 9 CONDITION: No development/works shall be commenced above slab level until precise details of the manufacturer and types and colours of the boundary treatments to be used in construction have been submitted to and approved, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development and fully applied prior to the first use/occupation.

REASON: To secure an orderly and well designed finish sympathetic to the character of the existing building(s) and in the interests of visual amenity and the character and appearance of the area.

- 10 CONDITION: Prior to the first occupation of the hereby approved development, all mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Place Services, November 2024).

REASON: In order to safeguard protected wildlife species and their habitats in accordance with the NPPF and Habitats Regulations.

- 11 CONDITION: Full details of surface water drainage shall have been submitted to and approved, in writing, by the Local Planning Authority prior to the beginning of any works to the building/s it would serve are commenced. No part of the development shall be brought into use until the agreed method of surface water drainage has been fully installed and is functionally available for use. The surface water drainage scheme shall thereafter be maintained as approved.

REASON: To safeguard the ground water environment and minimise the risk of flooding.

10.3 Informatives

Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Biodiversity Enhancements Informative:

In accordance with the Council's general duty to conserve and enhance biodiversity, you are strongly encouraged to improve the biodiversity of the application site through appropriate additional planting and wildlife friendly features. Suggested enhancements could include:

<https://www.rhs.org.uk/wildlife/in-the-garden/encourage-wildlife-to-your-garden>

Highways Informatives:

- i) All work within or affecting the highway (including demolition works) is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details must be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org
- ii) The area(s) directly adjacent to the carriageway(s) in which the trees are to be planted should not be less than 3 metres wide, exclusive of the footway and the trunks of the trees should be no nearer than 2 metres to the channel line of the road. The same dimensions should be used in situations where the footway is located adjacent to the carriageway.

In paved areas, whether or not the planted areas are to be adopted highway, trees should be sited no closer than 2 metres to the defined (or undefined) edge of the carriageway. Where the adopted highway is to be an independent path, trees should be planted no closer than 1 metre from the edge of the highway. In all cases, trees should be provided with root barriers to prevent damage to underground services.

- iii) It is recommended that the location of the internal light columns as shown on drawing no. 2530557 - P13, are reviewed and located on the wider landscape areas to avoid being hit by vehicles or restricting access to the adjacent parking spaces and potentially becoming an ongoing maintenance issue.
- iv) The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.
- v) Mitigating and adapting to a changing climate is a national and Essex County Council priority. The Climate Change Act 2008 (amended in 2019) commits the UK to achieving net-zero by 2050. In Essex, the Essex Climate Action Commission proposed 160+ recommendations for climate action. Essex County Council is working with partners to achieve specific goals by 2030, including net zero carbon development. All those active in the development sector should have regard to these goals and applicants are invited to sign up to the Essex Developers' Group Climate Charter [2022] and to view the advice contained in the Essex Design Guide. Climate Action Advice guides for residents, businesses and schools are also available.

11. **Additional Considerations**

Equality Impact Assessment

- 11.1 In making this recommendation/decision regard must be had to the public sector equality duty (PSED) under section 149 of the Equality Act 2010 (as amended). This means that the Council must have due regard to the need in discharging its functions that in summary include A) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act; B. Advance equality of opportunity between people who share a protected characteristic* (See Table) and those who do not; C. Foster good relations between people who share a protected characteristic* and those who do not, including tackling prejudice and promoting understanding.
- 11.2 It is vital to note that the PSED and associated legislation are a significant consideration and material planning consideration in the decision-making process. This is applicable to all planning decisions including prior approvals, outline, full, adverts, listed buildings etc. It does not impose an obligation to achieve the outcomes outlined in Section 149. Section 149 represents just one of several factors to be weighed against other pertinent considerations.
- 11.3 In the present context, it has been carefully evaluated that the recommendation articulated in this report and the consequent decision are not expected to disproportionately affect any protected characteristic* adversely. The PSED has been duly considered and given the necessary regard, as expounded below.

Protected Characteristics *	Analysis	Impact
Age	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral

Disability	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Gender Reassignment	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Marriage or Civil Partnership	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Pregnancy and Maternity	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Race (Including colour, nationality and ethnic or national origin)	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Sexual Orientation	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Sex (gender)	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Religion or Belief	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral

Human Rights

- 11.4 In making your decision, you should be aware of and take into account any implications that may arise from the Human Rights Act 1998 (as amended). Under the Act, it is unlawful for a public authority such as the Tendring District Council to act in a manner that is incompatible with the European Convention on Human Rights.
- 11.5 You are referred specifically to Article 8 (right to respect for private and family life), Article 1 of the First Protocol (protection of property) and Article 14 (right to freedom from discrimination).
- 11.6 It is not considered that the recommendation to grant permission in this case interferes with local residents' right to respect for their private and family life, home and correspondence or freedom from discrimination except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Finance Implications

- 11.7 Local finance considerations are a matter to which local planning authorities are to have regard in determining planning applications, as far as they are material to the application.
- 11.8 The New Homes Bonus (NHB) is one local finance consideration capable of being a material consideration to which the weight given shall be determined by the decision maker. The NHB is a payment to local authorities to match the Council Tax of net new dwellings built, paid by Central Government over six consecutive years. In this instance, it is not considered to have any significant weight attached to it that would outweigh the other considerations.

12. Declaration of Interest

- 12.1 Please refer to the minutes of this meeting, which are typically available on the councils website which will be published in due course following conclusion of this meeting.

13. Background Papers

- 13.1 In making this recommendation, officers have considered all plans, documents, reports and supporting information submitted with the application together with any amended documentation. Additional information considered relevant to the assessment of the application (as referenced within the report) also form background papers. All such information is available to view on the planning file using the application reference number via the Council's Public Access system by following this link <https://idox.tendringdc.gov.uk/online-applications/>.